



U.S. Department of Justice

*United States Attorney
Eastern District of New York*

EAG:AL
F.#2010R00153

271 Cadman Plaza East
Brooklyn, New York 11201

February 22, 2012

By Hand Delivery and ECF

The Honorable Kiyo A. Matsumoto
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, New York 11201

Re: United States v. Joseph DiMarco
Criminal Docket No. 11-30 (KAM)

Dear Judge Matsumoto:

On February 22, 2012, the defendant moved the Court for permission to travel to Westchester County every day from February 25, 2012 to March 4, 2012, because he "and others are exploring the purchase of a pizza parlor in Yonkers" and "[h]e hopes to be able to observe the operation of the pizza parlor for the days mentioned." (Docket Entry No. 694.) The defendant wrote that the government does not object to his request. (Id.)

The government does object to the request. The conditions of release imposed on the defendant restrict his travel to New York City, Long Island and New Jersey. (Order Setting Conditions of Release and Bond (Docket Entry No. 192).) The defendant has not offered a sufficient reason for traveling outside those areas for nine consecutive days, and it is not clear what he would do in the pizza parlor during those nine days that he could not do in one day.

However, as the government previously advised the defendant, the government does not object to the defendant traveling to Yonkers, for the purpose set forth in his motion, on a particular day to be established in advance. If additional travel becomes necessary in the future, the government will consider additional requests as they arise.

Respectfully submitted,

LORETTA E. LYNCH
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cc: Clerk of the Court (KAM) (by ECF)
Martin Geduldig, Esq. (by ECF)